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11 IN THE UNITED STATES DISTRICT COURT
12 DISTRICT OF ARIZONA

13 United States of America,
14 Plaintiff,
15
16 vs.
17 Donald Day, Jr.,
18 Defendant.

No. CR-23-08132-PCT-JJT

**MOTION TO EXTEND TIME
TO FILE DETENTION APPEAL**

19 Counsel for Mr. Day respectfully requests a 14-day extension of the time to seek
20 reconsideration of the Detention Order, issued in this case on December 7, 2023. (Dkt
21 No. 13). Good cause exists for the request as follows:

22 The Federal Public Defender office was recently appointed to represent Mr. Day
23 in this matter. Mr. Day was arrested on December 1, and he made his initial appearance
24 in Flagstaff on December 4. (Dkt No. 9). A detention hearing was held on December 5,
25 and Mr. Day was ordered detained on December 7. (Dkt. No. 13). Any appeal of that
26 order would be due on December 21.

27 At some point following his detention hearing, Mr. Day was transferred from
28 federal detention in Flagstaff to the federal detention center in Florence. Because of this
transfer and other logistical complications, to date, undersigned counsel has been unable
to speak to his client. Additional time is therefore necessary to discuss the detention
process with his client and to otherwise provide effective assistance to Mr. Day.

1 Counsel for Mr. Day contacted Assistant United States Attorney David Pimsner
2 regarding this motion. Mr. Pimsner advised the government did not object to the motion.

3 For all these reasons, Mr. Day respectfully requests the time to file his detention
4 appeal be extended for 14 days.

5 Respectfully submitted: December 19, 2023.

6 JON M. SANDS
7 Federal Public Defender

8 s/Mark Rumold
9 MARK RUMOLD
Asst. Federal Public Defender